IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

	_		Southern District of Texas
NEWTON BORIS SCHWARTZ, SR.	§		[[D 0 1 0010
INDIVIDUALLY, AND/OR AS (B)	§		FEB 0 1 2016
CLASS REPRESENTATIVE AND/OR	§		·
ON BEHALF OF ALL ELIGIBLE	§		David J. Bradley, Clerk of Court
TEXAS AND NATIONALLY	§		
UNITED STATES REGISTERED	§		
(C) ELIGIBLE AND/OR	§		
QUALIFIED VOTERS FOR	§	CIV	IL ACTION 4:16-cv-00106
VOTING IN THE 2016 FIFTY STATE	§	ļ	
ELECTION PRIMARIES AND	§		
IN THE NOVEMBER 1, 2016	§		
GENERAL PRESIDENTIAL AND	§		
VICE PRESIDENT 2016 ELECTIONS	§		
	§	NO	JURY
	§		
VS.	§		
	§		
TED CRUZ A/K/A RAFAEL	§	İ	
EDWARD CRUZ, INDIVIDUALLY	§		
Defendant	§		
	v	1	· ·

COMPLAINT IN INTERVENTION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Terry Wayne Wheelock, and per FRCP 24(a)(2) and files this his Petition in Intervention. He would show the following:

I.

- 1. He has an interest in the subject matter of the pending in that he is registered, by the Federal Election Commission as a Independent Candidate for the President of the United States;
- 2. There is substantial risk that the litigation would impair his above interest;

- 3. The existing parties do not adequately protect his above interests;
- 4. This intervention is timely in that Defendant Cruz was just served with Summons on January 20 and 21, 2016. Intervenor is a registered approved candidate be the Federal Elections Commission (FEC) for the Office of President of the United States as an independent candidate for the November 1, 2016 general election nationwide. The deadlines are August 1, 2016 to appear on ballots of the 50 States.

Intervenor could have brought this suit independently on his own. He has no claims against Defendant for any monetary damages, nor does Plaintiff. He has a legally protected interest that could be impaired by this suit without his presence as a party. He will be legally bound by the judgment. His interests include obtaining a Declaratory Judgment, a ruling and order setting a precedent affecting his campaign for the Presidency of the United States.

II. IMPAIRMENT OF INTEREST

Intervenor is at risk of legal impairment of this above Intervention in that this Court's (and Court of Appeals and Supreme Courts) rulings are principles of stare decises apply. See e.g. Sierra Club v. Espy 183 F.3d 1202, 1207 (5 th Cir. Miss. 1994) holding that "stare decisions" is sufficient legal impairment or potential impairment to satisf y the requirements of Rule 24(a)(2). This, even though he is not bound by res judicata or collateral estoppel.

III. LACK OF ADEQUATE REPRESENTATION BY EXISTING PARTIES

Intervenor's burden of proof on this issue is minimal. Haspel & Davis Milling & Planting Company, Ltd. v. Board of Levee Commissioners of the Orleans Levee District and State of Louisiana, 493 F.3d 570 (5 th Cir. 2007). (At issue, Louisiana's anti-seizure law adequately rejected by the "Levee Board parties").

There is a rebuttable presumption of adequate representation by Plaintiff but Plaintiff, Newton B. Schwartz, Sr. (hereinafter NBS) but he is not share identical objections and is not himself a candidate for the Office of President.

- "...Even if the person seeking intervention demonstrates that the elements of 'interest' and 'impairment' are satisfied...The burden of establishing inadequate representation is on the intervention but in minimal..." FRCP 24.
- "... Trbovch v. United Mine Workers of America, 404 U.S. 528, 538 n. 10, 92 S.Ct. 630, 636, 30 L.Ed. 2d 686 (1972)..." FRCP 24.
- "...Lack of adequate representation is most easily demonstrated if the interest is not currently represented at all, or if the persons already parties have positions clearly adverse to those of the intervention applicant..." FRCP 24.
- "...See e.g., City of Chicago v. Federal Emergency Management Agency,
 th
 660 F.3d 980, 986-87 (7 Cir. 2011) (intervention of right appropriate when
 original party does not advance ground that would confer a tangible benefit
 on intervenor)..." FRCP 24.

IV. STANDING

This request has been liberally construed. Applicant must only satisfy the standing requirements of Article III of the Constitution. See e.g. *Newby v. Enron Corp.*, 443 F.3d 416, 422 (5 th Cir. 2006).

V. ALTERNATIVELY PER FRCP 8(d)(2) AND 24(b)

Applicant can intervene per FRCP 24(b)(1)(8) since he has claim that shares with the main action a common question of law or fact; and

Rule 24(b)(3) his intervention will not delay or prejudice the adjudication of the original party's rights.

No opposition to this Motion is made by Plaintiff.

WHEREFORE, Intervenor, per above and request as pro se litigant's equal right and privilege of filing and receiving pleadings by email rather that by U.S. Mail or Federal Express, manuel paper filing and for all other relief. He prays that this Plea in Intervention be granted for all of the above legal and factual reasons.

Respectfully Submitted,

Terry Wayne Wheelock

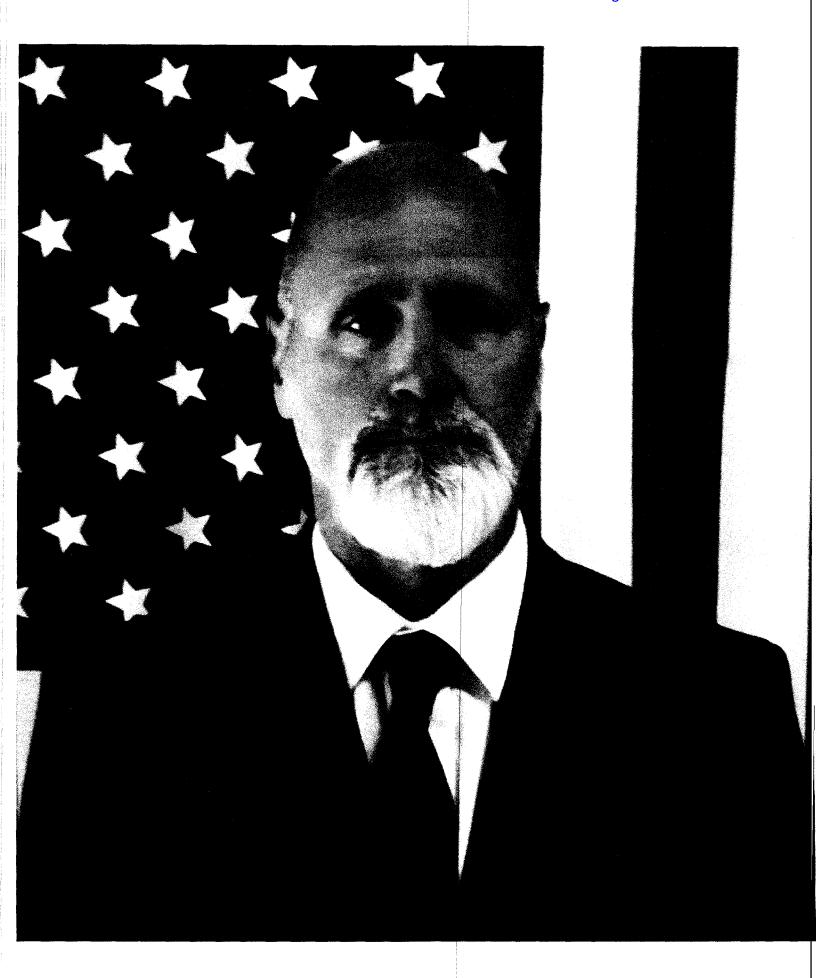
7704 Terry Drive

Fort Worth, Texas 76180-6218

Phone: 1 (817) 888-4457

Email: worldgraphixs@sbcglobal.net

Terry Wayne Wheeloch





Independent Candidate for President of the United States 2016

Terry Wayne Wheelock 7704 Terry Dr. Ft. Worth, TX 76180

To: The People

Re: Declaration of Presidential Candidacy

Date: 20121104 00:01 AM UT

Dear People,

I <u>Terry Wayne Wheelock</u> do hereby announce my candidacy for President of the United States 2016, on this fourth day of November 2012!

I swear that I am a "natural born Citizen", thirty five years of age, and have resided within the United States for last fourteen years!

I am "The Amer-I-can Candidate" for President of the United States 2016! I am running as an Independent, the ONLY candidacy that can reach and represent "The People!", ALL THE PEOPLE!

I am the BEST CHOICE because I CAN unite "The People", government, business, and the world around the ideals of FREEDOM and INDIVIDUAL RIGHTS!

WE CAN live in PEACE and PROSPERITY by using COOPERATION to forge a path to the FUTURE, from the lessons we have learned from the past!

I pledge "MY LIFE, MY LIBERTY, and MY PURSUIT OF HAPPINESS", to SERVE the people, "ALL THE PEOPLE" and Protect them when necessary!

I know of NO OTHER candidate who can do this!

So, if "YOU" would like have a PROSPERITY and AMERICA heading down the roadway of FREEDOM and INDIVIDUAL RIGHTS!

Vote! and VOTE WHEELOCK in 2016!

Sincerely and Respectfully, Terry Wayne Wheelock "natural born Citizen" Independent Candidate for President of the United States 2016 Vote! WHEELOCK 2016 Vote! WHEELOCK! 2016: Press Release 1

LET ME INTRODUCE MYSELF!

November 7, 2012

My name is Terry W. Wheelock and I am the Independent Candidate for President of the United States 2012! I am the Best Choice for President because I am the only candidate who can speak to All Americans and America can know that I am there for them, To Serve, Protect, and Empower the Rights of All Americans!

I am NOT like the other candidates who serve their party leaders or special interests who have bought and paid for them. I am a candidate for the People. (All the People!) I can unite rather than divide, because I can see both sides of the issues and not be blinded by party affiliation or special interests, I can find the best answer that is fair for All Americans.

The next President should represent the Individual (The People), and all the rights and power of the people to lead the government down the best path for the People! Congress is in gridlock because they are now just playing a game for their own self interest and lifestyle regardless of how the people suffer, and they revel in the knowledge they can endlessly dicker and still get paid for their gridlock. This has got to end! The purpose of government is to Serve (Create the Environment for All the People to Prosper!) and to Protect (If necessary when the People Cannot!) from those who would tread on the rights of the People.

Having a Republican or Democrat as President will just continue that Gridlock!

I as an Independent Write-In will insure The WILL of the PEOPLE is done!

If you have questions about my campaign, you may contact me by return email, or if you would like to know more about my campaign you can go to my campaign website.

Sincerely and Respectfully, Terry W. Wheelock Candidate for President of the United States 2016

1505 14M 24M9

FEC FORM 2 STATEMENT OF CANDIDACY

RECEIVED

1. (a) Name of Candidate (in full) TERRY WAYNE WI	2015 JUN 23 AM 11: 42
(b) Address (number and street)	2. FEC Candidate Identification Number
7704 TERRY DR	P 2000 4099
(c) City, State, and ZIP Code FT WORTH TX 76180-6218	3. Is This New Amended Statement (N) OR (A)
	6. State & District of Candidate
INDEPENDENT PRESIDENCY	TX
DESIGNATION OF PRINCIPAL	CAMPAIGN COMMITTEE
7. I hereby designate the following named political committee as my Principal C	
NOTE: This designation should be filed with the appropriate office listed in the	e instructions. (year of election)
(a) Name of Committee (in full)	
VOTE! WHEELOCK! 2016	•
(b) Address (number and street)	
7704 TERRY DR	
(c) City, State, and ZIP Code	
PT WORTH TX 76180-6219	·
DESIGNATION OF OTHER AUT	
(Including Joint Fundraising	g Representatives)
8. I hereby authorize the following named committee, which is NOT my principal	al campaign committee, to receive and expend funds on behalf of my
candidacy.	
NOTE: This designation should be filed with the principal campaign committee	2 e.
(a) Name of Committee (in full)	
(a) realite of Committee (in foil)	
(b) Address (number and street)	•
(c) City, State, and ZIP Code	
I certify that I have examined this Statement and to the best of n	ny knowledge and belief it is true, correct and complete.
Signature of Candidate	Date
Tough Wheeloch	06-18-2015
- Jenes Vo Valence -	00 /2 20/3
NOTE: Submission of false, erroneous, or incomplete information may subject t	he person signing this Statement to penalties of 52 U.S.C. §30109.
9-00068	FEC FORM 2 (REV 02/2009

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STATEMENT OF

FEC ORGANIZATION FORM 2015 110thco Use Only NAME OF (Check if name Example: If typing, type 12FE4M5 COMMITTEE (in full) is changed) over the lines. WHITELDCK! 2016 TERRY DR 17.7.0.4 ADDRESS (number and street) (Check if address is changed) COMMITTEE'S E-MAIL ADDRESS (Check if address [WIOIRILIDIGIRIAIPIHI] KISIOISIBICIGILIDIBIAILII INIEITI . . . is changed) Optional Second E-Mail Address IGY MICIAINIIXISIQYAIHIOIDI. ICIOINI COMMITTEE'S WEB PAGE ADDRESS (URL) (Check if address HILLIGITIFICIONILIVER SALLFOUNDIATION, COM! is changed) WHEEL OCK, HITML 06 18 2015 DATE C00506402 FEC IDENTIFICATION NUMBER ▶ AMENDED (A) IS THIS STATEMENT NEW (N) OR I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete. WAYNE WHEELOCK Type or Print Name of Treasurer en wheelow Date Signature of Treasurer NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.					
Office Use		For further Information contact: Federal Election Commission Toll Free 800-424-9530	FEC FORM 1 (Revised 06/2012)		

Local 202-694-1100

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CERTIFIED COPY



Commissioner

State Department of Health

State of Oklahoma

3400 NORTH EASTERN

OKLAHOMA CITY 5. OKLAHOMA

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY, ORIGINAL OF WHICH IS ON FILE IN THIS OFFICE. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE OFFICIAL SEAL TO BE AFFIXED, AT OKLAHOMA CITY, OKLAHOMA, THIS DAY OF JANUARY 1961.

STATE REGISTRAR

EDUCATION, IMMUNIZATION, SARITATION IS NEALTH CONSERVATION



G. F. MATHEWS, M. O.

State Bepartment of Health

State of Oklahoma

3400 NORTH EASTERN OKLAHOMA CITY 5, OKLAHOMA

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I do bereby certary the foregoing to be a true and correct copy, original of which

IN TESTIMONY WEERFUR, I have bereunto subscribed with and caused the official west to be affixed, at Oklahoma City, Oklahoma AUGUST 1952

PLACE OF BIRTH

TEXAS STATE BOARD OF HEALTH BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF RIGHT

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STATE OF TEXAS COUNTY OF TRAVIS

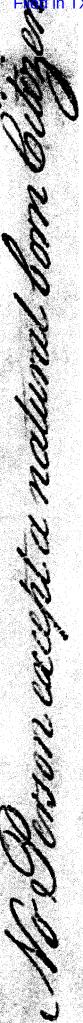
IHEREBY CERTIFY THAT THE ABOVE IS A COPY OF THE

BIRTH RECORD OF INFANT OF CARROLL WHEELOCK & WIFE

AS FILED IN THE BUREAU OF VITAL STATISTICS OF THE STATE OF TEXAS

issued June 5, 1947

STATE REGISTRAN OF VITAL STATIST



Types, Definitions, Classification, and Definitions of U.S. Citizenship

by Terry Wayne Wheelock

As per the historical documents and record of the Ascension of Kings, the Birthright of Kings, the founding discussions and documents of The Founding Fathers of the United States, The Declaration of Independence, The Articles of Confederation, the letters and discussions of The Founders at and of The Constitutional Convention, The Constitution, and The Bill of Rights.

The ORIGINAL definition, explanation, way, or how a person became a "natural born Citizen" is as follows: Prior to and during the Revolutionary War a person who renounced their allegiance to ANY foreign entity and swore allegiance to the United States of America and took up arms against the British, metaphorically died and was REBORN under penalty of death for treason, a "natural born Citizen"!

After the Revolutionary War citizenship was acquired by naturalization, or at BIRTH by the "PURITY" of allegiance of the PARENTS at the time of that child's birth! (Rights and Privilege at birth)

Achieving Citizenship after BIRTH is acquired by renouncing allegiance to any other entity, and pledging and demonstrating "ALLEGIANCE" to the United States of America! (naturalization)

natural born Citizen – a child born of parents who are BOTH U.S. Citizens at the time of that child's birth.

native born Citizen – a child born on U.S. soil or territories of the U.S. and of parents in which ONE is a U.S. Citizen at the time of that child's birth.

Citizen – a child born of parents in which ONE is a U.S. Citizen at the time of that child's birth.

naturalized Citizen – a person who legally immigrates to the U.S. and completes the requirements to become a Citizen according to INS.

native born natural born Citizen – a child born on U.S. soil or territories of the U.S., and of parents who are BOTH U.S. Citizens at the time of that child's birth.

native born naturalized Citizen – a child who is born to parents who are BOTH NOT U.S. Citizens at time of that child's birth on U.S. soil or territories of the U.S. and then is documented and completes the requirements to become a Citizen according the INS.

Clarification Note: In order to become a Citizen a person must swear off any allegiance to any other entity, and swear allegiance to the United States of America, and for a child, at birth one parent must be a U.S. Citizen and that parent must declare that child to be a U.S. Citizen and the other parent must agree, and both must renounce all allegiance of the child to any other entity, and swear the allegiance of that child to the United States of America, for that child to be a Citizen.

Clarification Note: The "RIGHTS" of all of the definitions of "Citizen" are the same, there is only one definition that has a "PRIVILEGE" with it, that is a "natural born Citizen", as specified in The Constitution an "nbC" is eligible to and has the privilege to become President of the United States, leader of the FREE world, and Commander in Chief of the Armed Forces!

Clarification Note: a child born on U.S. soil or territories of the U.S., to parents who are BOTH NOT U.S. Citizens, that child is NOT a Citizen.

Clarification Note: a child born of parents in which ONE of the parents is a U.S. Citizen, that Citizen must declare that child to be a Citizen of the U.S. and the other parent must agree, and both must renounce any allegiance of that child to any other entity, for that child to be a U.S. Citizen.

Additional Note: Terry Wayne Wheelock is a "native born natural born Citizen" and a candidate for President of the United States.

Date: March 27, 2015 - 2:30 PM

To: Keith Ingram - Director of Elections - State of Texas

Re: Ted Cruz/Obama Challenge

Mr. Ingram,

I am challenging that Ted Cruz is ineligible to run for President of the United States of America.

I need the exact process or steps to file a formal legal challenge to remove Ted Cruz as a presidential candidate from any candidacy, ballot, or election, on the specific grounds he is NOT a "natural born Citizen" a requirement as defined by:

- 1. The Declaration of Independence
- 2. The Articles of Confederation
- 3. The Letters of the Continental Congress
- 4. The Constitution of the United States of America
- 5. The Bill of Rights
- 6. The Sovereign Treaty with England
- 7. The Intentions of the Founders of this Great Nation
- 8. The Spirit of American Ideals

He has by entering committed fraud, against "We the People", the State of Texas, and the United States of America. He is by definition ineligible to seek The Office of the President of the United States of America and The Office of the Vice President of the United States of America.

Sincerely and Respectfully, Terry W. Wheelock natural born Citizen Independent Candidate for President of the United States 2016 Vote! WHEELOCK! 2016



Vote! WHEELOCK! 2016

7704 Terry Dr. - Ft. Worth - TX - 76180-6218 - 817.888.4457 - worldgraphixs@sbcglobal.net

Date: ~20150610 1:30 PM UT

To: Dept. of Elections or Secretary of State

Re: Free, Open, and Equal Access to the Ballot and Vote!

Hi,

My name is Terry Wayne Wheelock and I am a candidate for President of the United States 2016. I am contacting you to inform you that it has been brought to my attention that your rules, policies, procedures, guidelines, and laws for FREE, OPEN, and EQUAL, Access to the Ballot, and Access to the Vote, for national elections are in violation of my CIVIL RIGHTS and ALL (We the People) (Citizens) of the United States of America!

I require a Contact, Complete Guide, and Step-by-Step Procedure to bring Free, Open, and Equal, Access to the Ballot and Access to the Vote to your State and to this Nation!

I also need a Contact, Complete Guide, and Step-by-Step Procedure to inform you and prosecute the Cruz - Rubio - Jindal - Obama Challenge! We challenge that these people while they are US Citizens, they are NOT "natural born Citizens" and as such do not meet the requirements to be eligible to campaign, run, be on the ballot, have votes cast or counted, be elected, or hold the Office of President of the United States of America!

Your unbiased, immediate, and full cooperation in addressing these matters are greatly appreciated since these are matters of National Security!

Sincerely and Respectfully, Terry W. Wheelock natural born Citizen Independent Candidate for President of the United States 2016 Vote! WHEELOCK! 2016

CC: FEC, USAG, ULSI, INR

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Notification 1

Date: ~20151201 1:30 PM UT

To: Dept. of Elections or Secretary of State

Re: Free, Open, and Equal Access to the Media, Ballot, and Vote! and Cruz, Rubio,

Jindal, Obama Challenge!

Hi,

My name is Terry Wayne Wheelock and I am contacting you to OFFICIALLY NOTIFY you that I am a candidate for President of the United States 2016. I am a "natural born Citizen", am over 35 years of age, and have resided within the US for over 14 years!

ISSUE ONE:

I am contacting you to OFFICIALLY NOTIFY you that your rules, policies, procedures, guidelines, and laws for FREE, OPEN, and EQUAL, Access to the Media, Access to the Ballot, and Access to the Vote, for national elections are in violation of my CIVIL RIGHTS and ALL (We the People) (Citizens) of the United States of America!

I challenge that as such I meet the requirements to be eligible to campaign, run, be on the ballot, have votes cast or counted, be elected, or hold the Office of President of the United States of America!

I require a Contact, Complete Guide, and Step-by-Step Procedure to bring Free, Open, and Equal, Access to the Media, Access to the Ballot, and Access to the Vote to your State and to this Nation!

ISSUE TWO:

I am contacting you to OFFICIALLY NOTIFY you that Rafael (Ted) Cruz, Marco Rubio, Bobby Jindal, and Barrack Obama are NOT a "natural born Citizen" as required by the Constitution, Bill of Rights, Federalist Papers, or ANY documents, founding ideals, or intentions of this United States of America!

I challenge that these people while they are Citizens, they are NOT "natural born Citizens" and as such do not meet the requirements to be eligible to campaign, run, be on the ballot, have votes cast or counted, be elected, or hold the Office of President of the United States of America!

I require a Contact, Complete Guide, and Step-by-Step Procedure to prosecute the Cruz - Rubio - Jindal - Obama Challenge!

Your unbiased, immediate, and full cooperation in addressing these matters are greatly appreciated since these are matters of National Security!

Sincerely and Respectfully,
Terry W. Wheelock
natural born Citizen
Independent Candidate for President of the United States 2016
Vote! WHEELOCK! 2016

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